



## **Town of Arlington Notice of Meeting**

In accordance with the provisions of Massachusetts General Laws, Chapter 39, Section 23B, notice is hereby given of a meeting of the:

### **Finance Committee**

Monday, October 26, 2020

7:30 p.m. – 10:00 p.m.

Conducted by Remote Participation - Zoom Meeting

#### **AGENDA:**

- **Review of Warrant for Special Town Meeting scheduled for November 16.**
- **Hearings on Financial Articles**
- **DPW Capital Budget Article Review**
- **Finance Committee Reports**

Charlie Foskett has invited you to a Zoom Meeting

Topic: Finance Committee

Time: 7:30 PM Eastern Time (US and Canada)

Join Zoom Meeting

<https://us02web.zoom.us/j/84144390724>

Meeting ID: 841 4439 0724

One tap mobile

+16465588656,,84144390724# US (New York)

+13017158592,,84144390724# US (Germantown)

Dial by your location

+1 646 558 8656 US (New York)

Members of the public are asked to send written comments to [ediggins@town.arlington.ma.us](mailto:ediggins@town.arlington.ma.us)

Documents regarding agenda items will be made available via the Town's website.

<https://www.mass.gov/doc/open-meeting-law-order-march-12- 2020/download>

By Charlie Foskett, Chairman Finance Committee

**From:** Capital Planning Committee, Arlington, Mass.  
**To:** Finance Committee, Arlington, Mass.  
**Re:** Special Town Meeting 2020, Article 23: Capital Budget / DPW Yard  
**Date:** October 26, 2020

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**1. Presenters**

- a. *Capital Planning Committee*: Timur Yontar, Chair; Joseph Barr, Secretary; Phyllis Marshall, Town Treasurer; Sandy Pooler, Deputy Town Manager
- b. *Department of Public Works*: Michael Rademacher, Director
- c. *Weston & Sampson (design consultant)*: Jeff Alberti
- d. *Permanent Town Building Committee*: Allen Reedy, Chair; et al.

**2. Need for DPW Yard renovation**

- a. The Department of Public Works campus adjacent to Grove Street spans six buildings comprising 74,000 sf.
- b. Some buildings date to 1920; except for 2009 interior work at Building B and roof leak repairs to Building D, no significant renovations have been done since the 1970s.
- c. Facilities do not meet industry and safety standards; have poor ventilation and lighting, and regular flooding. Insufficient vehicle storage space causes exposure to the elements, negative impact on operational efficiency and on the life of capital assets (vehicles).
- d. Renovation needs are extensive, including:
  - i. building envelope work (brick, roofs, windows, garage doors), electrical, plumbing, HVAC, fire protection, and Mill Brook culvert work;
  - ii. functional improvements: vehicle wash bay, staff assembly room, locker & shower facilities, covered equipment storage, and supervisor office space; and
  - iii. new office space for Facilities and IT departments (relocated from Arlington High School).
- e. Site poses challenges such as:
  - i. removal and disposal of hazardous soil;
  - ii. presence of groundwater (Mill Brook runs through the campus);
  - iii. a portion of the buildings are historic and must be retained / renovated rather than replaced (although there are cost savings associated with their adaptive reuse versus completely new construction);
  - iv. coordination with simultaneous rebuild of adjacent Arlington High School; and
  - v. continuance of DPW operations during renovation

**3. Progress to date, and expected**

- a. Town Meeting funded planning in FY2017 and FY2019, and construction of selected design in FY2020. Construction Manager At-Risk (CM@R) hired in January 2020. Design should be complete by EOY 2020.
- b. Expect to sign Guaranteed Maximum Price in March 2021, with site mobilization in April 2021. Two consecutive phases lasting 16 and 8 months. Estimated completion March-April 2023.

**4. Prior appropriations**

- a. Total of \$32.2m, including:
  - i. Planning & design, \$2.3m
  - ii. Construction of selected design, \$29.9m
- b. Bonds have not yet been issued but are planned to have a 30-year term.
- c. Note: Water & Sewer employees / equipment are significant users of the facility, thus the project is partially (~28%) funded by the Water & Sewer Enterprise Fund, with the remainder by the non-exempt Capital Plan.

## **5. Requested additional appropriation and borrowing, and justification**

- a. \$8.9m, funded by the non-exempt Capital Plan, which comprises:
  - i. \$4.7m (53%): escalation of construction costs
    1. Escalation of construction costs due to schedule extension to coordinate master plan for adjacent DPW & AHS sites. During that period, high demand for construction in booming pre-Covid economy caused a “market spikes” in 2019.
    2. Note: estimates are conservative and do not account for possible market slumps due to current contracting economy; if savings are realized they will be returned to the Town.
  - ii. \$2.7m (30%): higher cost of CM@R (\$1.5m = 5% of total cost) plus increased contingencies (\$1.2m)
    1. CM@R delivery method has higher up-front cost and builds in additional contingency. Benefit is a firmer cap on potential cost overruns – a form of insurance. Contingencies, if not used, will be returned to the Town.
  - iii. \$1.5m (17%): increased scope to accommodate space for Facilities & IT
    1. Scope changes included increase to house Facilities & IT. Keeping these departments at AHS would have been more costly per square foot; Town achieved net overall savings through relocation. Other scope changes as well; some increased costs, while others reduced costs through value engineering.
- b. Cost comparisons completed by the design team indicate that the rate of escalation is comparable to similar facilities, and that overall per-square-foot costs remain below average compared to similar facilities.

## **6. Prior committee action and request**

- a. October 6, 2020: PTBC reviews and unanimously approves.
- b. October 15, 2020: CPC reviews and unanimously approves. Town Manager’s Office endorses.
- c. We request that the Finance Committee approve the recommended additional appropriation and borrowing.

## **7. Warrant article language and proposed motion**

### **ARTICLE 23**

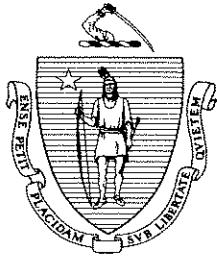
### **CAPITAL BUDGET/DPW YARD**

To see if the Town will vote to appropriate a sum of money for remodeling, reconstructing, or making extraordinary repairs to the DPW Yard and associated buildings, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair, and determine whether such appropriations shall be raised by taxation, transferred from available funds, borrowed or provided by any combination of the foregoing; or take any action related thereto.

### **MOTION**

### **CAPITAL BUDGET/DPW YARD**

That the Town appropriates eight million, nine hundred thousand dollars (\$8,900,000) to pay costs of remodeling, reconstructing, or making extraordinary repairs to the DPW Yard and associated buildings, including original equipment and landscaping, paving and other site improvements incidental or directly related to such remodeling, reconstruction or repair, and that to meet this appropriation, the Treasurer, with the approval of the Select Board, is authorized to borrow said amount under and pursuant to G.L. c. 44, §7(1) or any other enabling authority, and to issue bonds or notes of the Town therefor. Any premium received upon the sale of any bonds or notes approved by this vote, less any such premium applied to the payment of the costs of issuance of such bonds or notes, may be applied to the payment of costs approved by this vote in accordance with M.G.L. c. 44, §20, thereby reducing the amount authorized to be borrowed to pay such costs by a like amount.



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**CHARLES D. BAKER**  
GOVERNOR

**KARYN E. POLITICO**  
LIEUTENANT GOVERNOR

**ORDER SUSPENDING CERTAIN PROVISIONS  
OF THE OPEN MEETING LAW, G. L. c. 30A, § 20**

**WHEREAS**, on March 10, 2020, I, Charles D. Baker, Governor of the Commonwealth of Massachusetts, acting pursuant to the powers provided by Chapter 639 of the Acts of 1950 and Section 2A of Chapter 17 of the General Laws, declared that there now exists in the Commonwealth of Massachusetts a state of emergency due to the outbreak of the 2019 novel Coronavirus (“COVID-19”); and

**WHEREAS**, many important functions of State and Local Government are executed by “public bodies,” as that term is defined in G. L. c. 30A, § 18, in meetings that are open to the public, consistent with the requirements of law and sound public policy and in order to ensure active public engagement with, contribution to, and oversight of the functions of government; and

**WHEREAS**, both the Federal Centers for Disease Control and Prevention (“CDC”) and the Massachusetts Department of Public Health (“DPH”) have advised residents to take extra measures to put distance between themselves and other people to further reduce the risk of being exposed to COVID-19. Additionally, the CDC and DPH have advised high-risk individuals, including people over the age of 60, anyone with underlying health conditions or a weakened immune system, and pregnant women, to avoid large gatherings.

**WHEREAS**, sections 7, 8, and 8A of Chapter 639 of the Acts of 1950 authorize the Governor, during the effective period of a declared emergency, to exercise authority over public assemblages as necessary to protect the health and safety of persons; and

**WHEREAS**, low-cost telephone, social media, and other internet-based technologies are currently available that will permit the convening of a public body through virtual means and allow real-time public access to the activities of the public body; and

**WHEREAS** section 20 of chapter 30A and implementing regulations issued by the Attorney General currently authorize remote participation by members of a public body, subject to certain limitations;

**NOW THEREFORE**, I hereby order the following:

(1) A public body, as defined in section 18 of chapter 30A of the General Laws, is hereby relieved from the requirement of section 20 of chapter 30A that it conduct its meetings in a public place that is open and physically accessible to the public, provided that the public body makes provision to ensure public access to the deliberations of the public body for interested members of the public through adequate, alternative means.

Adequate, alternative means of public access shall mean measures that provide transparency and permit timely and effective public access to the deliberations of the public body. Such means may include, without limitation, providing public access through telephone, internet, or satellite enabled audio or video conferencing or any other technology that enables the public to clearly follow the proceedings of the public body while those activities are occurring. Where allowance for active, real-time participation by members of the public is a specific requirement of a general or special law or regulation, or a local ordinance or by-law, pursuant to which the proceeding is conducted, any alternative means of public access must provide for such participation.

A municipal public body that for reasons of economic hardship and despite best efforts is unable to provide alternative means of public access that will enable the public to follow the proceedings of the municipal public body as those activities are occurring in real time may instead post on its municipal website a full and complete transcript, recording, or other comprehensive record of the proceedings as soon as practicable upon conclusion of the proceedings. This paragraph shall not apply to proceedings that are conducted pursuant to a general or special law or regulation, or a local ordinance or by-law, that requires allowance for active participation by members of the public.

A public body must offer its selected alternative means of access to its proceedings without subscription, toll, or similar charge to the public.

(2) Public bodies are hereby authorized to allow remote participation by all members in any meeting of the public body. The requirement that a quorum of the body and the chair be physically present at a specified meeting location, as provided in G. L. c. 30A, § 20(d) and in 940 CMR 29.10(4)(b), is hereby suspended.

(3) A public body that elects to conduct its proceedings under the relief provided in sections (1) or (2) above shall ensure that any party entitled or required to appear before it shall be able to do so through remote means, as if the party were a member of the public body and participating remotely as provided in section (2).

(4) All other provisions of sections 18 to 25 of chapter 30A and the Attorney General's implementing regulations shall otherwise remain unchanged and fully applicable to the activities of public bodies.

This Order is effective immediately and shall remain in effect until rescinded or until the State of Emergency is terminated, whichever happens first.

Given in Boston at 1:40 PM this 12th day of  
March, two thousand and twenty.

Charles D. Baker

CHARLES D. BAKER  
GOVERNOR  
Commonwealth of Massachusetts